

**DEFENSE LOGISTICS AGENCY**  
**Inter-Office Memorandum**

*In Reply*

*Refer to:* DFSC-PPR (Kerry Pilz/45500)

**14 DEC 1994**

CONTRACTING INSTRUCTION (CI): 94-18  
SUBJECT: Extension of Closing Date

TO: CI Distribution

1. A recent decision by the General Accounting Office (GAO) affords contracting officers greater flexibility in accepting potentially late proposals. In Varicon International, Inc., Comptroller General Decision B-255808; B-255808.2, 94-1 CPD 240, dated 6 April 1994, GAO upheld an agency's decision to extend the closing date for receipt of initial offers in order to accommodate two offerors who submitted late proposals, even though extension was issued after the closing date had passed. In particular, GAO stated that "an agency may properly extend its closing date *at any time* in order to enhance competition." (emphasis added)
2. In the decision, GAO stated that the FAR does not prohibit the issuance of amendments to extend the closing date for proposals at any time, even if done only to accommodate one offeror, when it is done to enhance competition.
3. Contracting personnel should consider extending the closing date for initial offers after the closing date has passed in those instances where the acquisition schedule is not adversely affected and extension of the closing date would be in the best interests of the Government. If the extension is made after the initial closing date, Contracting Officers shall include a memorandum in the contract file explaining the circumstances.
4. This Contracting Instruction is for information purposes only. No further regulatory coverage will be published.



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